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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

Amendment of Section 73.202(b),
Table of Allotments
FM Broadcast Stations
(Shiner, Texas)

)
)
) MM Docket No. 01-105
) RM-10104
)
)

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AUG 15 2005

To: Office of the Secretary
Assistant Chief, Audio Division, Media Bureau

Federal Communications Commission
Office of Secretary

MOTION FOR LEAVE TO FILE PLEADING

Good cause exists to file the Supplement to Application for Review dated August 11, 2005. That pleading was promptly filed following and in light of the court decision in Charles Crawford v. FCC decided August 5, 2005.

The pleading addresses the differences between the Shiner case and those before the court, i.e. Benjamin, Texas (moot since alternative allotment is available and was committed to Mr. Crawford by FCC counsel at the oral argument) and Mason, Texas (distance approximately 200 miles from the initiating petition for Quanah, Texas).

The pleading also brings this docket up to date with respect to materials and arguments before the Commission with regard to the study of "Tuck" cases material to consideration of the 307(b) choice between major market allotments and allotments to small communities in rural areas - for which the FCC is seeking ways and means to extend telecommunications services. E.g., News Release, dated July 2, 2003, entitled FCC Commences Land of Opportunity Initiative for Rural America; News Release, dated July 2, 2003, entitled FCC and United States Department of

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Agriculture Hold Kick-off Meeting of the "Federal Rural Wireless Outreach Initiative"; News Release, dated May 8, 2003, entitled FCC Acts to Enhance Rural Participation in Spectrum Auctions; Cf, Article, "Virginia Cellular and Highland Cellular: The FCC Establishes a Framework for Eligible Telecommunications Carrier Designation in Rural Study Areas", Mark C. Bannister, Volume 57, Federal Communications Law Journal at 511 (May 2005).

Respectfully submitted,



Gene A. Bechtel

Law Office of Gene Bechtel, P.C.
Suite 600, 1050 17th Street, N.W.
Washington, D.C. 20036
Telephone 202-496-1289
Telecopier 301-762-0156

Counsel for Charles Crawford

August 15, 2005

CERTIFICATE OF SERVICE

I certify that on this 15th day of August, 2005, I have caused copies of the foregoing pleading to be placed in the mails, first class, postage prepaid, addressed to the following:

Mark N. Lipp, Esq.
Vinson & Elkins, LLP
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Lawrence N. Cohn, Esq.
Cohn and Marks, LLP
1920 N Street, N.W.
Suite 300
Washington, D.C. 20036

Counsel for Rawhide Radio, LLC

Gregory L. Masters, Esq.
Wiley, Rein & Fielding, LLP
1770 K Street, N.W.
Washington, D.C. 20006
Counsel for Clear Channel Broadcasting Licenses, Inc., CCB
Texas Licenses, L.P. and Capstar TX Limited Partnership

David P. Garland, Pres.
Stargazer Broadcasting, Inc.
P.O. Box 519
Woodville, Texas 76307

Bryan A. King
BK Radio
1809 Lightsey Road
Austin, Texas 78704

Maurice Salsa
5615 Evergreen Valley Drive
Kingwood, Texas 77345



Gene A. Bechtel